GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:2761
ANSWERED ON:15.03.2016
Women related Offences
Kothapalli Smt. Geetha

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the State Government of Andhra Pradesh proposes to apply the amended section of the IPC, Nirbhaya Act in the cases where money lending is linked to sexual harassment of female borrowers/women family members of borrowers and if so, the details thereof;

(b) whether the Government has decided to establish a special court at Vijayawada with a special public prosecutor to try the Nirbhaya cases for speedy disposal in addition to efforts under way to bring in a stingent Act to regulate money lending and if so, the details thereof;

(c) whether the Government has taken action for tackling the menace caused by unscrupulous money lenders by enacting a law to regulate money lending business, if so, the details thereof and if not, the reasons
therefor;

(d) whether it is a fact that the police have registered 227 cases in the State including five cases that involved sexual harassment along with exorbitant interest rates and if so, the details thereof; and

(e) the steps taken/being taken by the Government to intervene in such matters and to enact new laws to firmly deal with such cases?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HARIBHAI PARATHIBHAI CHAUDHARY)

(a) to (e): The Government of Andhra Pradesh have sent a Bill called "The Andhra Pradesh Money Lenders Bill, 2015" for consideration and assent of
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the President under article 254(2) of the Constitution of India. The Bill, interalia, provides for penalty for molestation of debtor which reads as under:

"Whoever molests or abets the molestation of any debtor or members of the family for the realisation of any loan shall be punished with imprisonment for a term which may extend to three years and with fine which may extend to rupees fifty thousand".

The Bill also mentions about designating Special Court to try offences against women on sexual exploitation or offences related thereto.

As per the Seventh Schedule to the Constitution of India, "Police" and "Public Order" are State subjects and, as such the primary responsibility of prevention, detection, registration, investigation and prosecution of crime lies with the States/UT Administrations. However, the Central Government has taken various steps to check crimes against women and children. The Criminal Law (Amendment) Act 2013 provides for enhanced punishment for crimes like rape, sexual harassment, stalking, voyeurism
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and acid attacks etc. A national emergency response system project is worked out to respond to calls from women in distress and provide them immediate police assistance.

As per information furnished by Ministry of Finance (Department of Financial Services), Non Banking Financial Companies- Micro Finance Institutions (NBFC-MFIs) are regulated by the Reserve Bank of India (RBI) under the provisions of chapter IIIB of RBI Act 1934 and money lending being a subject in the State List, it is generally regulated under State specific Money Lending Laws.
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